

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

DONALD PAUL WILSON,)
Petitioner,)
v.) CIVIL ACTION NO. 5:16-CV-53 (MTT)
Sheriff GENE POPE,)
Respondent.)

)

ORDER

United States Magistrate Judge Stephen Hyles recommends denying the Petitioner's motion for judgment on the pleadings, dismissing without prejudice his claims regarding his 2008 conviction, and denying a certificate of appealability. (Doc. 12). The Petitioner has not filed an objection to the Recommendation. The Court has reviewed the Recommendation, and the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation is **ADOPTED** and made the order of this Court. Accordingly, the Petitioner's motion for judgment on the pleadings (Doc. 8) is **DENIED**, the Petitioner's claims regarding his 2008 conviction are **DISMISSED without prejudice**, and a certificate of appealability is **DENIED**. Additionally, because there are no non-frivolous issues to raise on appeal, an appeal would not be taken in good faith. See 28 U.S.C. § 1915(a)(3). Accordingly, any motion to proceed *in forma pauperis* on appeal is **DENIED**.

SO ORDERED, this 21st day of June, 2016.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT